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By: **Delegate V. Clagett (By Request)**  
Introduced and read first time: February 18, 2004  
Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Housing - Local Laws - Developers' Fees to Support Affordable Housing**

3 FOR the purpose of authorizing certain local legislative bodies to impose fees on  
4 developers and dedicate the revenue from those fees to the construction of  
5 affordable housing units; and generally relating to fees imposed by local  
6 legislative bodies to support affordable housing.

7 BY repealing and reenacting, with amendments,  
8 Article 66B - Land Use  
9 Section 12.01  
10 Annotated Code of Maryland  
11 (2003 Replacement Volume)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article 66B - Land Use**

15 12.01.

16 (a) To promote the creation of housing that is affordable to persons and  
17 families who have low or moderate incomes, a local legislative body that exercises  
18 authority granted by this article may enact ordinances or laws that:

19 (1) Impose inclusionary zoning and award density bonuses to create  
20 affordable housing units; [and]

21 (2) IMPOSE FEES ON DEVELOPERS AND DEDICATE THE REVENUE FROM  
22 THOSE FEES TO THE CONSTRUCTION OF AFFORDABLE HOUSING UNITS; AND

23 [(2)] (3) Impose restrictions on the use, cost, and resale of housing that  
24 is created under this subtitle to ensure that the purposes of this subtitle are carried  
25 out.

26 (b) The authority granted under this subtitle is in addition to any other zoning  
27 and planning powers.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 2004.